

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

LULAC TEXAS, *et al.*,

Plaintiffs,

v.

JOSE ESPARZA, *et al.*,

Defendants.

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Case No. 1:21-cv-00786-XR

NOTICE REGARDING PENDING MOTION TO CONSOLIDATE

The State Defendants filed a Partially-Opposed Motion to Consolidate on September 14, 2021, in *La Unión del Pueblo Entero v. Abbott*, No. 5:21-cv-00844 (W.D. Tex.) (hereinafter *LUPE*) (ECF No. 24). In that Motion, the State Defendants asked the Court to consolidate four cases filed in the Western District of Texas that challenge Senate Bill 1— *La Unión del Pueblo Entero v. Abbott*, No. 5:21-cv-00844 (W.D. Tex.), *OCA-Greater Houston v. Esparza*, No. 1:21-cv-00780 (W.D. Tex.), *LULAC Texas v. Esparza*, No. 1:21-cv-00786 (W.D. Tex.), and *Houston Justice v. Abbott*, No. 5:21-cv-848 (W.D. Tex.). The same day, and before the State Defendants filed their motion, Judge Biery entered an order transferring the *LUPE* case to this Court’s docket *sua sponte*.

On September 15, 2021, Judge Pitman entered orders transferring two other cases challenging Senate Bill 1 to this Court’s docket—*OCA-Greater Houston v. Esparza*, No. 1:21-cv-00780 (W.D. Tex.) (ECF No. 8) and *LULAC Texas v. Esparza*, No. 1:21-cv-00786 (W.D. Tex.) (ECF No. 9).

The State Defendants hereby provide notice that, with all four cases challenging Senate Bill 1 now before this Court, none of the plaintiffs in these four cases currently oppose consolidation. On September 17, counsel for the *OCA-Greater Houston* plaintiffs stated that they no longer oppose

consolidation.¹ The State Defendants' motion remains pending in the *LUPE* case.

¹ Plaintiff Isabel Longoria in the *LUPE* case, and the plaintiffs in the *LULAC Tex.* case, have taken no position on the issue of consolidation.

Date: September 21, 2021

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

Respectfully submitted.

PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation
Tex. State Bar No. 00798537

WILLIAM T. THOMPSON
Deputy Chief, Special Litigation Unit
Tex. State Bar No. 24088531

ERIC A. HUDSON
Senior Special Counsel
Tex. Bar No. 24059977

KATHLEEN T. HUNKER
Special Counsel
Tex. State Bar No. 24118415
**Application for Admission Forthcoming*

LEIF A. OLSON
Special Counsel
Tex. State Bar No. 24032801

/s/ Jeffrey M. White
JEFFREY M. WHITE
Special Counsel
Tex. State Bar No. 24064380

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2100
Fax: (512) 457-4410
patrick.sweeten@oag.texas.gov
will.thompson@oag.texas.gov
eric.hudson@oag.texas.gov
kathleen.hunker@oag.texas.gov
leif.olson@oag.texas.gov
jeff.white@oag.texas.gov

COUNSEL FOR STATE DEFENDANTS

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on September 21, 2021, and that all counsel of record were served by CM/ECF.

/s/ Jeffrey M. White
Jeffrey M. White